

Attorney Docket: 27409U

MAIL STOP PCT

U.S. Department Of Commerce, Patent And Trademark Office		Date: 07 July 2006(07.07.2006)
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No: (if known) <b>10/505454</b> Not Yet Assigned
International Application No.: PCT/EP2004/014385	International Filing Date: 17 December 2004(17.12.2004)	Priority Date Claimed: 09 January 2004 (09.01.2004)
Title of Invention: <b>DRIVE FOR ADJUSTING MOTOR VEHICLE SEATS</b>		
Applicants for DO/EO/US: WOHRLE, Michael DROPMANN, Hans GAPP, Andreas KNOEPFLE, Urban WETZIG, Stefan		

APPLICANT HEREBY SUBMITS TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) THE FOLLOWING ITEMS AND OTHER INFORMATION:

1. ☒ THIS IS A **FIRST** SUBMISSION OF ITEMS CONCERNING A FILING UNDER 35 U.S.C. 371.
2. ☐ THIS IS A **SECOND** OR **SUBSEQUENT** SUBMISSION OF ITEMS CONCERNING A FILING UNDER 35 U.S.C. 371.
3. ☒ THIS IS AN EXPRESS REQUEST TO BEGIN NATIONAL EXAMINATION PROCEDURES (35 USC 371(F)). THE SUBMISSION MUST INCLUDE ITEMS (5), (6), (9) AND (21) INDICATED BELOW.
4. ☒ THE US HAS BEEN ELECTED (ARTICLE 31).
5. ☒ A COPY OF THE INTERNATIONAL APPLICATION AS FILED (35 U.S.C. 371(C)(2)):
  - A. ☒ IS TRANSMITTED HERewith (REQUIRED ONLY IF NOT TRANSMITTED BY THE INTERNATIONAL BUREAU).
  - B. ☐ HAS BEEN COMMUNICATED BY THE INTERNATIONAL BUREAU.
  - C. ☐ IS NOT REQUIRED, AS THE APPLICATION WAS FILED IN THE UNITED STATES RECEIVING OFFICE (RO/US)
6. ☒ A ENGLISH TRANSLATION OF THE INTERNATIONAL APPLICATION AS FILED (35 U.S.C. 371(C)(2).
7. ☒ AMENDMENTS TO THE CLAIMS OF THE INTERNATIONAL APPLICATION UNDER PCT ARTICLE 19 (35 U.S.C. 371(C)(3))
  - A. ☐ ARE ATTACHED HERETO (REQUIRED ONLY IF NOT TRANSMITTED BY THE INTERNATIONAL BUREAU).
  - B. ☐ HAVE BEEN COMMUNICATED BY THE INTERNATIONAL BUREAU.
  - C. ☐ HAVE NOT BEEN MADE; HOWEVER, THE TIME LIMIT FOR MAKING SUCH AMENDMENTS HAS NOT EXPIRED.
  - D. ☒ HAVE NOT BEEN MADE AND WILL NOT BE MADE.
8. ☐ AN ENGLISH LANGUAGE TRANSLATION OF THE AMENDMENTS TO THE CLAIMS UNDER PCT ARTICLE 19 (35 U.S.C. 371(C)(3)).
9. ☐ AN OATH OR DECLARATION OF THE INVENTOR(S) (35 U.S.C. 371(C)(4)).
10. ☐ A TRANSLATION OF THE ANNEXES TO THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT UNDER PCT ARTICLE 36 (35 U.S.C. 371(C)(5)).

**ITEMS 11 TO 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:**

11. ☐ AN INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97 AND 1.98.
12. ☐ AN ASSIGNMENT DOCUMENT FOR RECORDING. A SEPARATE COVER SHEET IN COMPLIANCE WITH 37 CFR 3.28 AND 3.31 IS INCLUDED;
13. ☒ A **FIRST** PRELIMINARY AMENDMENT.
14. ☐ A **SECOND** OR **SUBSEQUENT** PRELIMINARY AMENDMENT
15. ☐ A SUBSTITUTE SPECIFICATION.
16. ☐ A CHANGE OF POWER OF ATTORNEY AND/OR ADDRESS LETTER.
17. ☐ A COMPUTER-READABLE FORM OF THE SEQUENCE LISTING IN ACCORDANCE WITH PCT RULE 13TER2 AND 35 USC 1821 - 1825
18. ☐ A SECOND COPY OF THE PUBLISHED INTERNATIONAL APPLICATION UNDER 35 USC 154(D)(4)
19. ☐ A SECOND COPY OF THE ENGLISH LANGUAGE TRANSLATION OF THE INTERNATIONAL APPLICATION UNDER 35 USC 154(D)(4)
20. ☒ OTHER ITEMS OR INFORMATION:  
 TRANSMITTAL LETTER INTERNATIONAL PUBLICATION NUMBER: WO 2005/065989 A1, WITH THE PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: 21 JULY 2005(21.07.2005) IN THE GERMAN LANGUAGE; ENGLISH TRANSLATION OF PUBLICATION NO WO 2005/065989 A1 WHICH CONSISTS OF 23 PAGES: 1 PAGE OF CERTIFICATE OF ACCURACY, 1 PAGE FOR THE TITLE, 13 PAGES OF TEXTUAL SPECIFICATION, 5 PAGES OF 25 CLAIMS, AND 3 SHEETS OF DRAWINGS; **PRELIMINARY AMENDMENT WITH ATTACHMENT A & B TO BE EXAMINED**; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/IB/301 (NOTIFICATION OF RECEIPT OF RECORD COPY); FORM PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICATION OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); FORM PCT/IB/332 (PCT INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.

AP20 REC 11 07 JUL 2006

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U.S. Application Number: (if known) <b>107385454</b> Assigned	International Application No.: PCT/EP2004/014385	Date: 07 July 2006(07.07.2006)
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The following fees are submitted: 21. Basic National Fee (37 CFR 1.492(a)) ..... \$ 300.00  22. Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$ 0.00 All other situations ..... \$ 200.00  23. Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$ 400.00 All other situations ..... \$ 500.00  _____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.  <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	<u>CALCULATIONS</u>  \$ 300.00     \$ 200.00     \$ 400.00     \$ 900.00	<u>PTO USE ONLY</u>
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Surcharge of \$130.00 for furnishing the oath or declaration later than _____ 20 _____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00	
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CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE		
TOTAL	25-20=	5	X \$ 50.00	\$ 250.00	
INDEPENDENT	2-3=	0	X \$ 200.00	\$ 0.00	
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 900.00	
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00	
SUBTOTAL =				\$ 1,150.00	
Processing fee of \$130.00 for furnishing the English translation later than _____ 20 _____ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 1,150.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 1,150.00	
				Amount to be: refunded charged	\$ \$

AP20 Rec'd PCT/PTO 07 JUL 2006

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U.S. Application Number:

(if known): Not Yet Assigned

International Application

Number: PCT/EP2004/014385

Date: 07 July 2006 (07.07.2006)

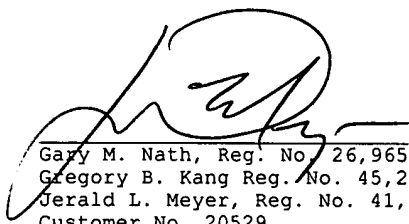
10/325454

- a. ☒ One check in the amount of \$ 1,150.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. ☐ Fees are to be charged to a credit card \_\_\_\_ WARNING: Information on this form may become public \_\_\_\_ Credit Card Information should not be included on this form.  
\_\_\_\_ Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath  
NATH & ASSOCIATES PLLC  
112 South West Street,  
Alexandria, VA 22314  
Tel: 1-703-548-6284  
Fax: 1-703-683-8396

  
Gary M. Nath, Reg. No. 26,965  
Gregory B. Kang Reg. No. 45,273  
Jerald L. Meyer, Reg. No. 41,194  
Customer No. 20529

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 Attorney Docket No.: 27409U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WOEHRLE et al.

Application No.: Not Yet Assigned

Filed: 07 July 2006

International Application: PCT/EP2004/014385

International Filing Date: 17 December 2004(17.12.2004)

Title: **DRIVE FOR ADJUSTING MOTOR VEHICLE SEATS**

TRANSMITTAL LETTER

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

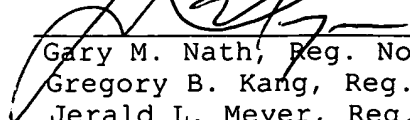
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 U.S.C. 371;
- 2) International Publication Number: WO 2005/065989 A1, with the PCT/ISA/210 (International Search Report); International Publication Date: 21 July 2005(21.07.2005) in the German Language;
- 3) English Translation of Publication No WO 2005/065989 A1 which consists of 23 Pages:
  - 1 page of Certificate of Accuracy,
  - 1 page for the Title,
  - 13 pages of Textual Specification,
  - 5 pages of 25 Claims, and
  - 3 sheets of Drawings;
- 4) **Preliminary Amendment with Attachment A & B to be Examined;**
- 5) Unexecuted Declaration and Power Of Attorney;
- 6) PCT/IB/301 (Notification of Receipt of Record Copy);
- 7) Form PCT/IB/308(First Notice Informing the Application of the Communication of the International Application);
- 8) Form PCT/IB/332(PCT Information Concerning Elected Offices Notified of their Election);
- 9) Check No.: 2403 in the Amount of \$ 1,150.00 for Basic Filing Fee, which includes the Search and Examination Fees (\$900), and for 5 claims in excess of 20(\$250), as a Large Entity;
- 10) Postcard for Early Notification of the Serial Number Request.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date: July 7, 2006  
**NATH & ASSOCIATES PLLC**  
 112 South West Street  
 Alexandria, VA. 22314

By:   
 Gary M. Nath, Reg. No. 26,965  
 Gregory B. Kang, Reg. No. 45,273  
 Jerald L. Meyer, Reg. No.41, 194  
 Customers No. 20529

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SAP20 Rec'd USTPTO 07 JUL 2006

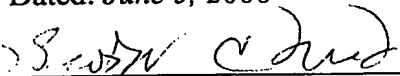
# MERRILL BRINK INTERNATIONAL

State of Minnesota     )  
                                  )     ss:  
County of Hennepin    )

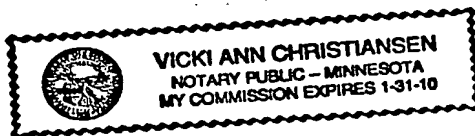
## Certificate of Accuracy

This is to certify that the attached document, Patent Application, "DRIVE FOR ADJUSTING MOTOR VEHICLE SEATS", originally written in German is, to the best of our knowledge and belief, a true, accurate and complete translation into English.

Dated: June 5, 2006

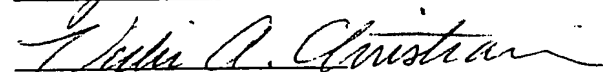


Bridget Freed  
Project Manager  
Merrill Brink International



Sworn to and signed before  
Me this 5<sup>th</sup> day of

June, 2006

  
Notary Public